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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,052	08/02/2001	Telmo Glaser	GR 00 P 14086	7565

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EXAMINER	
AMINZAY, SHAIMA Q	

ART UNIT	PAPER NUMBER
2684	6

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/922,052	GLASER, TELMO	
	Examiner	Art Unit	
	Shaima Q. Aminzay	2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 August 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *9-14* is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☒ Claim(s) *6 and 7* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *5*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

1. This is the first action, application filed on 08/02/2001.
2. Independent Claim 1, and dependent claims 2-5, and 8 are pending in the case.
3. Claims 6-7 are objected.
4. Claims 9-14 are allowed.
5. The present title of the application is "Method and configuration for transmitting data in a motor vehicle"

NONE FINAL ACTION

Claim Rejections – 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) Patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chong U. S. Patent Number 6,177,801 B1, in view of Kamiya et al. U. S. Patent Number 6,225,898 B1.

3. Regarding claim 1, Chong discloses transmitting data through transmission lines having a transmitter (10, Figure 1A) and a receiver (20, Figure 1A), and the received signal (through channel 142, Figure 2A), and a splitter (140a, Figure 2A) splitting a signal (see, channel 142) which is to be transmitted (column 9, lines 8-

10), into a constant part (high frequency or data), and a variable part (low frequency or voice); and combining the constant part with the variable part (splitter 140b, column 9, lines 6-8) and transmitting the result signal (column 9, lines 8-13).

However, Chong does not specifically disclose the transmitter and receiver are being part of a motor vehicle operation.

Kamiya discloses, the vehicle diagnostic system having Transponder (104, Figure 14) that is part of the vehicle diagnosis system (101, Figure 14).

It would have been obvious to one of ordinary skill in the art at the time invention was made to combine the invention of Kamiya, and include Chong's receiver, transmitter with transmission lines to provide a vehicle diagnosis system, which can easily handle conventional and sophisticated on board diagnostic system (Kamiya, column2, lines 14-17), and it provides faster Diagnostic system with more vital information than the conventional on board diagnostic systems in vehicles, this safety feature adds to the vehicle's marketability.

4. Claims 2, 3, 4, 5, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chong U. S. Patent Number 6,177,801 B1, in view of Kamiya et al. U. S. Patent Number 6,225,898 B1, and further in view of Townshend U. S. Patent Number 5,835,538.

5. Regarding claims 2, and 8, Chong and Kamiya teach claim 1. However Chong and Kamiya do not teach dividing the constant part by a pre-definable value N resulting in N divided values; and summing each of the divided values with the variable part forming the result signal to be transmitted.

Townshend teaches the sampling and dividing the constant part of the signal by pre-definable value N resulting in N divided values (column 16, lines 4-15), and summing (412, Figure 16) each of the divided values (410, Figure 16) with the variable part (408, Figure 16) forming the result signal (266, Figure 2) to be transmitted (column 16, lines 45-50).

It would have been obvious to one of ordinary skill in the art at the time invention was made to combine the invention of Townshend with Chong and Kamiya to provide a higher data transmission rate system in a motor vehicle on board diagnostic system that is both simple and extremely powerful (Townshend, column 5, lines 30-31), and it can provide high speed communication system which adds to the vehicle's marketability.

6. Regarding claim 3, Chong, Kamiya, Townshend teach claim 1, and further, Townshend teaches the constant part (392, Figure 16) by a low-pass filtering (394, Figure 16) of the signal which is to be transmitted (266, Figure 16).

7. Regarding claim 4, Chong, Kamiya, Townshend teach claim 1, and further, Townshend teaches applying a correction factor to the constant part (column 16, lines 10-15).

8. Regarding claim 5, Chong, Kamiya, Townshend teach claim 1, and further, Townshend teaches forming the correction factor by summing N values to be transmitted, minus the constant part (column 16, lines 42-45).

Allowable Subject Matter

9. Claims 9-14 are allowed.

Reasons for Allowance

10. The following is an examiner's statement of reason for allowance:

The prior art specifically Chong, Kamiya, and Townshend, failed to render obviousness in combination or individually and failed to anticipate individually the following underlined limitations:

"A configuration for transmitting data in a motor vehicle, comprising: a transmitter having extraction means for extracting a constant part from a signal to be transmitted formed of a constant part and a variable part, a subtracting element having an output for subtracting the constant part from the signal to be transmitted and said subtracting element connected to said extraction means, a divider having an output and connected downstream of said extraction means and dividing the constant part by N, and an adding element connected to said output of said divider and to said output of said subtracting element, said adding element having an output where a data-reduced signal for transmission can be

tapped; and a receiver for communicating with said transmitter."

"The constant part as a digital word, the constant part being divided into M identical word parts where M>= 2, and in each case a word part of the constant part is transmitted in combination with the variable part so that after in each case M transmissions a value of the constant part is transmitted."

(These limitations, or similar language, appear in each of the independent claims.) These limitations, in combination with the other limitations recited in the independent claims are not anticipated or suggested by the prior art.

Objection

11. Claims 6-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
2. Baker et al., Bit-Serial Digital Compressor.

Inquiry

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 703-305-8723. The examiner can normally be reached on 7:00 AM -5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service telephone number is 703-305-3900.

NAY MAUNG
SUPERVISORY PATENT EXAMINER

Shaima Q. Aminzay
(Examiner)

Nay Maung
(SPE)
Art Unit 2684

March 17, 2004